

On appeal, the appellant states that should be credited for his experience as a provisional in the subject title and as an Education Assistant, and he provides duties for those positions. Also, the appellant provides another position, educator with Wayne Township Board of Education from September 2017 through December 2018. While he indicates this is a substitute teacher position, he does not provide any hours worked per week.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date. *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, the appellant was correctly found ineligible for the subject examination. He was credited with eleven months of experience for the two positions listed on his application. Pursuant to *N.J.A.C.* 4A:4-2.1(f), any documentation indicating work in any setting that was not previously listed on an application or resume cannot be considered after the closing date. See *In the Matter of Joann Burch, et al.* (MSB, decided August 21, 2003) and *In the Matter of Rolanda Alphonso, et al.* (MSB, decided January 26, 2005). Thus, the appellant's additional position cannot be considered. Even if it were to be, the appellant did not provide hours worked per week, so experience in this position cannot be quantified. Nonetheless, the eligible list is incomplete, the appellant continues to serve provisionally in the title under test, and he has accrued at least an additional one month of experience since the March 2020 closing date. Based on the circumstances presented, good cause has been established to relax the provisions of *N.J.A.C.* 4A:4-2.1(f) and *N.J.A.C.* 4A:4-2.3(b) to accept the appellant's additional provisional experience beyond the closing date and admit him to the examination for prospective appointment only.

ORDER

Therefore, it is ordered that this appeal be granted, and the appellant's application be processed.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 19TH DAY OF MAY, 2021

Deirdre' L. Webster Cobb

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: Nicholas Palatucci
Allison Stapleton
Division of Agency Services
Records Center